

Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(use as many sheets as necessary)*

Sheet	1	of	2
-------	---	----	---


**Complete if Known**

Application Number	10/783,510
Filing Date	February 20, 2004
First Named Inventor	Vogels et al.
Group Art Unit	1636
Examiner Name	To be assigned
Attorney Docket Number	2578-3982.3US

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>2</sup> - Kind Code <sup>3</sup> (if known)				
		EP 99201545.3	05-17-1999	Introgene B.V.		
		EP 0 978 566 A2	02-09-2000	Introgene B.V.		
		WO 96/26281	08-28-1996	Genvec, Inc.		
		WO 98/32842	07-30-1998	Genetic Therapy, Inc.		
		WO 98/50053	11-12-1998	Genetic Therapy, Inc.		
		WO 00/52186	09-08-2000	Introgene B.V.		

**Examiner  
Signature**

Date Considered

4/3/06

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.**

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

2



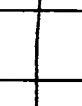



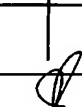
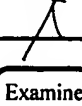
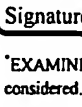
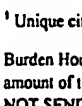

of

2

**Complete if Known**

Application Number	10/783,510
Filing Date	February 20, 2004
First Named Inventor	Vogels et al.
Group Art Unit	1636
Examiner Name	To be assigned
Attorney Docket Number	2578-3982 31JS

**OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		BASLER et al., "Sequence of the immunoregulatory early region 3 and flanking sequences of adenovirus type 35," Gene, 1996, pp. 249-254, Vol. 170.	
		FLOMENBERG et al., "Molecular Epidemiology of Adenovirus Type 35 Infections in Immunocompromised Hosts," The Journal of Infectious Diseases, June 1987, pp. 1127-1134, Vol. 155, No. 6.	
		FLOMENBERG et al., "Sequence and genetic Organization of Adenovirus Type 35 Early Region 3," Journal of Virology, November 1988, pp. 4431-4437, Vol. 62, No. 11.	
		GAHERY-SEGARD et al., "Immune response to recombinant Capsid Proteins of Adenovirus in Humans: Antifiber and Anti-Penton Base Antibodies Have a Synergistic Effect on Neutralizing Activity," Journal of Virology, March 1998, pp. 2388-2397, Vol. 72, No. 3.	
		KANG et al., "Molecular Cloning and Physical Mapping of the DNA of Human Adenovirus Type 35," Acta Microbiologica Hungarica, 1999, pp. 67-75, Vol. 36, No. 1.	
		KRASNYKH et al., "Generation of Recombinant Adenovirus Vectors with modified Fibers for Altering Viral Tropism," Journal of Virology, October 1996, pp. 6839-3846, Vol. 70, No. 10.	
		Notice of Opposition to a European Patent, Patent No. 1054064, by Cell Genesys Inc., dated July 5, 2005.	
		ROSENFELD et al., "Adenovirus-Mediated Transfer of a recombinant alpha-1-Antitrypsin Gene to the Lung Epithelium in Vivo," Science, 19 April 1991, pp. 431-434, Vol. 252.	
		ROY et al., "Circumvention of Immunity to the Adenovirus major Coat Protein Hexon," Journal of Virology, August 1998, pp. 6875-6879, Vol. 72, No. 8.	
		STEVENSON et al., "Human Adenovirus Serotypes 3 and 5 Bind to Two Different Cellular receptors via the Fiber Head Domain," Journal of Virology, May 1995, pp. 2850-2857, Vol. 69, No. 5.	
		STRATFORD-PERRICAUDET et al., "Evaluation of the Transfer and Expression in Mice of an Enzyme-Encoding Gene Using a Human Adenovirus Vector," Human Gene Therapy, 1990, pp. 241-256, Vol. 1.	

Examiner  
SignatureDate  
Considered

4/3/06

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**



(use as many sheets as necessary)

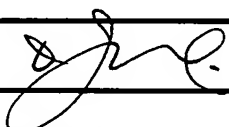
Sheet 2 of 3

**Complete if Known**

Application Number	To be assigned
Filing Date	February 9, 2004
First Named Inventor	Vogels et al.
Group Art Unit	(presumed) 1632
Examiner Name	(presumed) J. Qian
Attorney Docket Number	2578-3982.3US

**OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		#BOUCHER et al., J. Clin. Invest., 1999 Feb, pp. 441-45, Vol. 103.	
		#BOWIE et al., Science, 1990 Mar, pp. 1306-10, Vol. 247.	
		#CRYSTAL et al., Transfer of Gene to Human: Early Lessons and Obstacles to Success, 1995, Science, Vol. 270, pp. 404-10.	
		#DEONARAIN, Expert Opin. Ther. Pat., 1998, pp. 53-69, Vol. 8.	
		#ECK et al., Gene-Based Therapy, 1996 Goodman & Gilman's, pp. 77-101.	
		#GALL et al., Journal of Virology, 1996, pp. 2116-23, Vol. 70.	
		#GUZMAN et al., PNAS, 1994, pp. 10732-36, Vol. 91.	
		#KAYE et al., A single amino acid substitution results in a retinoblastoma protein defective in phosphorylation and oncoprotein binding, September 1990, Proc. Natl. Acad. Sci., pp. 6922-26, Vol. 87.	
		#LAZAROVITS et al., J. Immunol., 1993, pp. 6482-89, Vol. 151.	
		#LUSKY et al., Journal of Virology, 1998, pp. 2022-32, Vol. 72.	
		#MAKRIDES et al., Protein Exp. Pur., 1999, pp. 183-202, Vol. 17.	

Examiner  
SignatureDate  
Considered

4/3/06

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 3 of 3

**Complete if Known**

Application Number	To be assigned
Filing Date	February 9, 2004
First Named Inventor	Vogels et al.
Group Art Unit	(presumed) 1632
Examiner Name	(presumed) J. Qian
Attorney Docket Number	2578-3982.3US

**OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
J		#MEI et al., Virol., 1998, pp. 254-66, Vol. 240.	
		#MILLER et al., FASEB J., 1995, pp. 190-99, Vol. 9.	
		#ROBBINS et al., Pharmacol. Ther., 1998, pp. 35-47, Vol. 80.	
		#RUDINGER et al., Characteristics of the amino acids as components of a peptide hormone sequence, 1976, Peptide Hormones, pp. 1-7.	
		#RUSSELL et al., Nat. Genet., 1998 Apr., pp. 325-30, Vol. 18.	
		#SHANG et al., J. Immunol., 1998, pp. 467-74, Vol. 160.	
		#STEVENSON et al., J. Virol., 1997, pp. 4782-90, Vol. 6.	
		#SU, et al., A Genetically Modified Adenoviral Vector Exhibits Enhanced Gene Transfer of Human Smooth Muscle Cells, Journal of Vascular Research 2001, pp. 471-78, Vol. 38.	
		#VERMA et al., Nature, 1997, pp. 239-42, Vol. 389.	
J		#WICKHAM et al., Increased In Vitro and In Vivo Gene Transfer by Adenovirus Vectors Containing Chimeric Fiber Protein, Nov. 1997, Journal of Virology, pp. 8221-29, Vol. 71, No. 11.	
		#WICKHAM et al., Increased In Vitro and In Vivo Gene Transfer by Adenovirus Vectors Containing Chimeric Fiber Protein, Nov. 1997, Journal of Virology, pp. 8221-29, Vol. 71, No. 11.	
J		#ZINK et al., Gene Ther. Mol. Biol., 2001 Jan., pp. 1-24, Vol. 6.	

Examiner  
SignatureDate  
Considered

4/3/06

#Pursuant to 37 C.F.R. § 1.98(d), copies of the previously identified patents are not being provided since they were previously cited by or submitted to the Office in the following prior application:

Serial No.: 09/517,898

Filed: March 3, 2000

For: MEANS AND METHODS FOR FIBROBLAST-LIKE OR MACROPHAGE-LIKE CELL TRANSDUCTION, which application is being relied upon for an earlier filing date under 35 U.S.C. § 120.

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.